



# City Council Agenda

Council President  
**Tom Boyajian**

Councilmembers

**Brian Calhoun**  
**Brad Castillo**, Acting President  
**Mike Dages**

**Jerry Duncan**  
**Henry T. Perea**  
**Cynthia Sterling**

City Manager  
**Daniel G. Hobbs**

City Clerk  
**Rebecca E. Klisch , CMC**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

**TUESDAY, JANUARY 6, 2004**

If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on [www.ci.fresno.ca.us](http://www.ci.fresno.ca.us) The Council meeting can also be heard live at the same web site address.

## **8:30 A.M. - ROLL CALL**

Invocation by Reverend Father Vahan Gosdanian of the Holy Trinity Armenian Apostolic Church and Reverend Father Arshen Aivazian of the St. Paul Armenian Church

Pledge of Allegiance to the Flag

**January 6, 2004**

***\*ITEM SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

Resolution of Commendation to Jon Jon's Grand Central Station - Councilmember Sterling

Selection and Swearing-in of Council President and Acting President

**Action Taken:**

Selection and Swearing-in of Redevelopment Agency Chair and Vice Chair

**Action Taken:**

Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person. Public testimony will not be taken on unscheduled/non-action items.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Approve minutes of December 16, 2003

**Action Taken:**

Councilmember Reports and Comments

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

**January 6, 2004**

***\*ITEM SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1. **GENERAL CONSENT CALENDAR**

(All consent calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 2:00 p.m.

- A. Approve appointments of Shari Rainwater, Cheryl L. Assemi and Stephen W. Guinn to the Chaffee Zoo Citizens' Advisory Committee - Mayor Autry; and Gunner Jensen to the Tower District Design Review Committee - Council President Boyajian  
**Action Taken:**
- B. \* Approve agreement for professional services with Lehman, English, Kelly and O'Keefe Associates for lobbying and legislative services in Sacramento - City Manager's Office  
**Action Taken:**
- C. **RESOLUTION** - Setting February 3, 2004 @ 10:00 a.m. for the public hearing to consider formation of Underground Utility District No. FRE-83 (Cedar Avenue approximately 630 feet north of and approximately 660 south of Shaw Avenue and Shaw Avenue approximately 290 feet west of and approximately 130 feet east of Cedar Avenue) - Public Works Dept.  
**Action Taken:**
- D. Authorization to enter into a Highway-Rail Signal Interface Agreement with BNSF Railroad required with the proposed "R" and Tulare Street railroad preemption project - Public Works Dept.  
**Action Taken:**
- E. **RESOLUTION** - Approving the Final Map of Tract 5190 and accepting dedicated public uses therein and authorize the Public Works Director and Planning and Development Director to execute the necessary documents - Planning and Development Dept.  
**Action Taken:**
- F. Accept submission for informational purpose of the Comprehensive Annual Financial reports regarding the financial activities of the City of Fresno Retirement Systems for the fiscal year ending June 30, 2003 - Retirement Offices  
**Action Taken:**

January 6, 2004

***\*ITEM SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1. **GENERAL CONSENT CALENDAR CONTINUED**

- G. \* **BILL NO. B-106 - (Intro. 12/16/2003)** - Amending Section 3-202 of the Fresno Municipal Code relating to the sale or other disposition of surplus personal property - General Services Dept.

**Action Taken:**

- H. **RESOLUTION** - Authorizing application for and acceptance of California Parks and Recreation Department grant funding under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 - Urban Park Act of 2001 for the development of a neighborhood park at the northwest corner of Jensen and Willow Avenues - PR&CS

**Action Taken:**

**TIME SCHEDULED HEARINGS AND MATTERS**

9:00 A.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of December 16, 2003

**Action Taken:**

- A. Receive and give direction to staff to develop a twelve (12) month exclusive negotiation agreement between the Redevelopment Agency of the City of Fresno and the Fresno Historic Chinatown, LLC

**Action Taken:**

**ADJOURN AGENCY**

- 10:00 A.M. **HEARING** to consider Rezone Application No. R-03-012, and environmental findings, filed by Logan Montemagni & Associates, pertaining to a 0.61-acre parcel of land at 3636 E. Alta Avenue, located on the south side of E. Alta Avenue between S. Orange Avenue and S. Seventh Street **(Property located in District 5)** - Planning and Development Dept.

**Action Taken:**

- a. Consider and adopt Environmental Assessment No. R-03-12/S-03-45, finding of conformance with the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

**Action Taken:**

- b. **BILL** - Amending the Official Zone Map to rezone **from** the R-1 (Single-Family Residential) zone district **to** the R-2 (Low Density Multiple-Family Residential) zone district

**Action Taken:**

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***\*ITEM SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

<b>TIME SCHEDULED HEARINGS AND MATTERS CONTINUED</b>
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**10:10 A.M. HEARING** to consider Plan Amendment Application No. A-03-04, Rezone Application No. R-03-18, and environmental findings, filed by Paul and Gayane Atmajian, pertaining to two adjacent vacant parcels of land, for 0.34 acre in size, located on the east side of N. Palm Avenue between E. Shields and E. Simpson Avenues (***Property located in District 1***) - Planning and Development Dept.

**Action Taken:**

- a. Consider and adopt finding of Mitigated Negative Declaration for Environmental Assessment  
A-03-04/R-03-18

**Action Taken:**

- b. **RESOLUTION** - Amending the 2025 Fresno General Plan and the Fresno High-Roeding Community Plan

**Action Taken:**

- c. **BILL** - Amending the Tower District Specific Plan

**Action Taken:**

- d. **BILL** - Amending the Official Zone Map to rezone Assessor's Parcel No. 443-061-19 **from** C-1 (*Neighborhood Shopping Center*) zone district and Assessor's Parcel No. 443-061-18 **from** P (*Off-Street Parking*) zone district **to** the R-1 (*Single-Family Residential*) zone district for both parcels

**Action Taken:**

**10:15 A.M. HEARING** to consider Plan Amendment Application No. A-03-10, Rezone Application No. R-03-54, and environmental findings, filed by Dirk Poeschel Land Development Services on behalf of the McCaffrey Group, pertaining to 4.32 acres of property located on the northwest corner of N. Blythe and W. Clinton Avenues (***Property located in District 1***) - Planning and Development Dept.

**Action Taken:**

- a. Consider and adopt finding of Mitigated Negative Declaration for Environmental Assessment A-03-10/R-03-54/T-5136

**Action Taken:**

- b. **RESOLUTION** - Amending the 2025 Fresno General Plan and the West Area Community Plan

**Action Taken:**

- c. **BILL** - Amending the Official Zone Map to rezone **from** the AE-5/UGM (*Five Acre Exclusive Agricultural/Urban Growth Management*) zone district **to** the R-1/UGM (*Single-Family Residential/Urban Growth Management*) zone district

**Action Taken:**

**10:30 A.M. - 10:45 A.M. COUNCIL RECESS**

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**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**2:00 P.M. #1** **CONTESTED CONSENT ITEMS**

**2:00 P.M. #2** **CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -** Government Code Section 54956.9, Subdivision (b)

**Significant Exposure to Litigation:**

**1. Case Name:** Claim of Free Republic, LLC

**Action Taken:**

**2:30 P.M. WORKSHOP** to consider and give direction regarding development of public arts ordinance - Parks, Recreation, and Community Services Dept. - **(Council Chambers)**

**2. GENERAL ADMINISTRATION**

**A. Approve Boards and Commissions appointment process -** Boards and Commissions Sub-Committee

**Action Taken:**

**3. CITY COUNCIL**

**4. PUBLIC COMMENT PERIOD - No Council action except to place on future agenda. Presentation limited to three (3) minutes.**

**A. Scheduled Public Comment -**

**1. Appearance by Tomas Casas Acosta, Sr. to discuss and request approval for the City of Fresno restaurants and other businesses to accept bus riders reimbursement of \$1.00 on their bill**

**B. UNSCHEDULED COMMUNICATION -** Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date.

**January 6, 2004**

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## SCHEDULED COUNCIL HEARINGS AND MATTERS

Jan.	13 -	10:00 A.M.	<b>CONTINUED HEARING</b> to consider Rezone Application No. R-03-21, and environmental findings, filed by LATCO Enterprises, pertaining to a 17.7-acre parcel of land located on the northwesterly side of N. Figarden Drive, between N. Santa Fe and W. Sierra Avenues - Planning and Development Dept
Jan.	13 -	10:15 A.M.	<b>CONTINUED HEARING</b> to consider Community Facilities District No. 2, Annexation No. 59 (Final Tract Map No. 5135) - Public Works Dept.
Jan.	13 -	2:00 P.M.	<b>WORKSHOP</b> re: Chaffee Zoo Strategic Planning Study - Parks, Recreation, and Community Services Dept. - <b>(Council Chambers)</b>
Jan.	20 -	<b>NO MEETING - MARTIN LUTHER KING, JR. DAY</b>	
Jan.	27 -	10:00 A.M.	<b>HEARING</b> re: Rezone Appl. No. R-03-66, filed by Concord Construction Company
Jan.	27 -	11:00 A.M.	Proposal for the creation of a tower district assessment district - Councilmembers Boyajian and Sterling
Jan.	27 -	2:15 P.M.	<b>WORKSHOP</b> re: Community Sanitation reorganization and Operation Clean-Up - Dept. of Public Utilities - <b>Meeting Room "A" - 2165N</b>
Jan.	27 -	3:00 P.M.	<b>WORKSHOP</b> re: Air Cargo - Transportation Dept. - <b>Meeting Room "A" - 2165N</b>
Feb.	3 -	10:00 A.M.	<b>HEARING</b> re: formation of UUD No. FRE-83 (Cedar/Shaw) - Public Works
Feb.	3 -	2:15 P.M.	<b>WORKSHOP</b> re: Medical plans and Health & Welfare Trust - Personnel Dept. - <b>Meeting Room "A" - 2165N</b>
Feb.	3 -	3:00 P.M.	<b>WORKSHOP</b> re: Urban reforestation - Public Works Dept. - <b>Meeting Room "A" - 2165N</b>
Feb.	10 -	0:10 A.M.	<b>HEARING</b> to consider Plan Amendment No. A-01-15 and Rezone Application No. R-01-18, filed by Bob Kammen, et al.
Feb.	17 -	<b>NO MEETING - PRESIDENT'S DAY</b>	
Feb.	24 -	10:00 A.M.	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 60, Final Tract Map No. 5098
Feb.	24 -	10:05 A.M.	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 61, Final Tract Map No. 4598
Feb.	24 -	10:10 A.M.	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 62, Final Tract Map No. 5189
Feb.	24 -	10:15 A.M.	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 63, Final Tract Map No. 5067
Mar.	2 -	<b>NO MEETING ELECTION DAY (TENTATIVE)</b>	
Mar.	23 -	<b>NO MEETING</b>	

### UPCOMING WORKSHOPS

Jan.	13 -	2:00 P.M.	Chaffee Zoo Strategic Planning Study
Jan.	27 -	2:15 P.M.	Community Sanitation reorganization and Operation Clean-Up
Jan.	27 -	3:00 P.M.	Air Cargo
Feb.	3 -	2:15 P.M.	Medical plans and Health & Welfare Trust
Feb.	3 -	3:00 P.M.	Urban reforestation

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